

**IN THE DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**DENNIS THOMAS**

**PLAINTIFF**

**VS.**

**CASE NO. 2:15-cv-00002-KS-MTP**

**RICKY BARNETT  
and DEERE & COMPANY**

**DEFENDANT/CROSS-CLAIMANT  
DEFENDANT/CROSS-DEFENDANT**

**DEFENDANT DEERE & COMPANY'S  
MOTION FOR JURISDICTIONAL OR REMAND RELATED DISCOVERY**

Defendant Deere & Company submits this Motion for Jurisdictional or Remand Related Discovery. Defendant has filed a Notice of Removal and submits that such Notice on its face is sufficient to establish that removal of this civil action was proper. Nonetheless, in the event the Court concludes that the Notice contains insufficient evidence to allow the Court to realign Defendant and Cross Claimant Ricky Barnett as a plaintiff in this action, or if the Court determines a hearing on a potential the motion to remand is necessary, Deere & Company moves the Court for an order allowing Deere & Company to conduct limited discovery on the circumstances surrounding the common interest attorney client privilege allegedly existing between Barnett and Thomas and the alignment of the parties, including any agreements between the Barnett and Thomas concerning this case before the hearing is conducted. Deere & Company hereby incorporates by reference its memorandum of authorities, including all argument, authority and other matters contained therein submitted in support of this motion.

WHEREFORE, PREMISES CONSIDERED, Deere & Company moves this Court for an order allowing Deere & Company to conduct limited discovery on the circumstances

surrounding the common interest attorney client privilege allegedly existing between Barnett and Thomas and the alignment of the parties, including any agreements between the Barnett and Thomas concerning this case. Deere & Company further prays for such additional, supplemental, different or alternative relief as may be appropriate in the premises.

Respectfully submitted this the 16<sup>th</sup> day of January, 2015.

/s/ Frank M. Holbrook

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on January 16, 2015 a copy of the Deere & Company's Motion for Jurisdictional or Remand-Related Discovery was served upon the following attorneys via mail and electronic mail:

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